

111TH CONGRESS
1ST SESSION

H. R. 577

To establish a grant program to provide vision care to children, and for
other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2009

Mr. GENE GREEN of Texas (for himself, Mr. SULLIVAN, Mr. PASCRELL, Ms.
ROS-LEHTINEN, and Mr. ENGEL) introduced the following bill; which was
referred to the Committee on Energy and Commerce

A BILL

To establish a grant program to provide vision care to
children, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Vision Care for Kids
5 Act of 2009”.

6 **SEC. 2. GRANTS REGARDING VISION CARE FOR CHILDREN.**

7 Part Q of title III of the Public Health Service Act
8 (42 U.S.C. 280h et seq.) is amended by adding at the end
9 the following:

1 **“SEC. 399Z–1. GRANTS REGARDING VISION CARE FOR CHIL-**
2 **DREN.**

3 “(a) IN GENERAL.—The Secretary, acting through
4 the Director of the Centers for Disease Control and Pre-
5 vention, may award grants to States on the basis of an
6 established review process for the purpose of comple-
7 menting existing State efforts for—

8 “(1) providing comprehensive eye examinations
9 by a licensed optometrist or ophthalmologist for chil-
10 dren who have been previously identified through a
11 vision screening or eye examination by a licensed
12 health care provider or vision screener as needing
13 such services, with priority given to children who are
14 under the age of 9 years;

15 “(2) providing treatment or services, subse-
16 quent to the examinations described in paragraph
17 (1), necessary to correct vision problems; and

18 “(3) developing and disseminating, to parents,
19 teachers, and health care practitioners, educational
20 materials on recognizing signs of visual impairment
21 in children.

22 “(b) CRITERIA AND COORDINATION.—

23 “(1) CRITERIA.—The Secretary, in consultation
24 with appropriate professional and patient organiza-
25 tions including individuals with knowledge of age ap-
26 propriate vision services, shall develop criteria—

1 “(A) governing the operation of the grant
2 program under subsection (a); and

3 “(B) for the collection of data related to
4 vision assessment and the utilization of follow-
5 up services.

6 “(2) COORDINATION.—The Secretary shall, as
7 appropriate, coordinate the program under sub-
8 section (a) with the program under section 330 (re-
9 lating to health centers), the program under title
10 XIX of the Social Security Act (relating to the Med-
11 icaid program) (42 U.S.C. 1396 et seq.), the pro-
12 gram under title XXI of such Act (relating to the
13 State children’s health insurance program) (42
14 U.S.C. 1397aa et seq.), and with other Federal or
15 State programs that provide services to children.

16 “(c) APPLICATION.—

17 “(1) IN GENERAL.—To be eligible to receive a
18 grant under subsection (a), a State shall submit to
19 the Secretary an application in such form, made in
20 such manner, and containing such information as
21 the Secretary may require, including—

22 “(A) information on existing Federal, Fed-
23 eral-State, or State-funded children’s vision
24 programs;

1 “(B) a plan for the use of grant funds, in-
2 cluding how funds will be used to complement
3 existing State efforts (including possible part-
4 nerships with non-profit entities);

5 “(C) a plan to determine if a grant eligible
6 child has been identified as provided for in sub-
7 section (a);

8 “(D) a description of how funds will be
9 used to provide items or services, only as a sec-
10 ondary payer for an eligible child;

11 “(E) an assurance that the State will not
12 eliminate or otherwise reduce vision care bene-
13 fits for children under the State plan under title
14 XIX of the Social Security Act for purposes of
15 receiving such a grant; and

16 “(F) an assurance that amounts received
17 under the grant are expended on an eligible
18 child as defined in paragraph (2).

19 “(2) ELIGIBLE CHILD.—For purposes of para-
20 graph (1), the term eligible child means a child
21 that—

22 “(A) is not covered under a health insur-
23 ance policy that provides coverage for vision
24 services;

1 “(B) is not otherwise eligible to receive
2 coverage of such services under a State plan
3 under title XIX of the Social Security Act,
4 under the program under title XXI of such Act,
5 under any State health care compensation pro-
6 gram, or under any other Federal or State
7 health benefits program; and

8 “(C) is a low income child (as defined by
9 the State).

10 “(d) EVALUATIONS.—To be eligible to receive a grant
11 under subsection (a), a State shall agree that, not later
12 than 1 year after the date on which amounts under the
13 grant are first received by the State, and annually there-
14 after while receiving amounts under the grant, the State
15 will submit to the Secretary an evaluation of the oper-
16 ations and activities carried out under the grant, includ-
17 ing—

18 “(1) an assessment of the utilization of vision
19 services and the status of children receiving these
20 services as a result of the activities carried out
21 under the grant;

22 “(2) the collection, analysis, and reporting of
23 children’s vision data according to guidelines pre-
24 scribed by the Secretary; and

1 “(3) such other information as the Secretary
2 may require.

3 “(e) PRIORITY.—In awarding grants under this sec-
4 tion, the Secretary shall give priority to States submitting
5 applications that provide that services under the grant will
6 be provided to the lowest income children within the State
7 submitting the application.

8 “(f) LIMITATIONS IN EXPENDITURE OF GRANT.—A
9 grant may be made under subsection (a) only if the State
10 involved agrees that the State will not expend more than
11 20 percent of the amount received under the grant to
12 carry out the purpose described in paragraph (3) of such
13 subsection.

14 “(g) MATCHING FUNDS.—

15 “(1) IN GENERAL.—With respect to the costs of
16 the activities to be carried out with a grant under
17 subsection (a), a condition for the receipt of the
18 grant is that the State involved agrees to make
19 available (directly or through donations from public
20 or private entities) non-Federal contributions toward
21 such costs in an amount that is not less than 25
22 percent of such costs.

23 “(2) DETERMINATION OF AMOUNT CONTRIB-
24 UTED.—Non-Federal contributions required in para-
25 graph (1) may be in cash or in kind, fairly evalu-

1 ated, including plant, equipment, or services.
2 Amounts provided by the Federal Government, or
3 services assisted or subsidized to any significant ex-
4 tent by the Federal Government, may not be in-
5 cluded in determining the amount of such non-Fed-
6 eral contributions.

7 “(h) SUPPLEMENT NOT SUPPLANT.—A State that
8 receives a grant under this section shall ensure that
9 amounts received under such grant will be used to supple-
10 ment, and not supplant, any other Federal, State, or local
11 funds available to carry out activities of the type carried
12 out under the grant.

13 “(i) DEFINITION.—For purposes of this section, the
14 term ‘comprehensive eye examination’ includes an assess-
15 ment of a patient’s history, general medical observation,
16 external and ophthalmoscopic examination, visual acuity,
17 ocular alignment and motility, refraction, and as appro-
18 priate, binocular vision or gross visual fields, performed
19 by an optometrist or an ophthalmologist.

20 “(j) AUTHORIZATION OF APPROPRIATIONS.—For the
21 purpose of carrying out this section, there are authorized
22 to be appropriated \$65,000,000 for the 5-fiscal year pe-
23 riod beginning in fiscal year 2009.”.

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